

REMARKS

By this paper, claims 33 and 36-40 have been amended. Claims 33-45 remain pending.

In the outstanding Office action dated July 22, 2005, the specification was objected to because the Cross-Reference to Related Applications did not identify an issued patent. Moreover, claims 36-39 were objected to due to the use of the phrase "further comprising." In response to the objection to the specification, U.S. 6,682,557 was added to the Cross Reference to Related Applications and the term "further" was deleted from claims 36-39. Accordingly, it is believed that the objections the specification and claims have been traversed.

Additionally, in the outstanding Office action, claims 33-35 and 42-45 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rockey (4,501,264) and claims 33-38 and 41-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kubo et al. (5,236,447). Moreover, claims 39 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubo et al. in view of Lazarus et al. (5,275,622) and Chuter et al. (5,720,776).

As an initial matter, it is respectfully submitted that the Kubo et al. reference is not available as prior art under § 102(e). Significantly, as set forth in the amendment dated June 3, 2004, the present application has a priority date of April 11, 1991. This date is prior to the June 28, 1991 filing date of the application which matured in the Kubo et al. patent. Thus, it is respectfully requested that the 102(e) rejection as well as the 103(a) rejection is based upon the Kubo et al. reference be withdrawn.

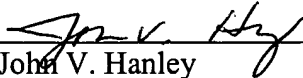
In response to the rejection of claims 33-35 and 42-45 in view of the Rockey patent, Applicants have amended independent claim 1 to recite a bifurcated graft including at least one ring having a plurality of alternating apices. Notably, the Rockey patent does not teach such structure. As such, it is believed that independent claim 33 as well as dependent claims 34-45 now recite patentable subject matter.

CONCLUSION

Applicants have attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John V. Hanley
Registration No. 38,171

JVH/kst
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
104695.1